FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

APPEAL FROM ORDER NO. 261 OF 1998.

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders.	:	Court's or Judge's orders

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Shri A.G.Damle for the appellant.

Shri J. Xavier for the respondent-BMC.

CORAM: V.C.DAGA,J.

DATED: 15-9-2004.

P.C.:

. This appeal is directed against the order dated 12.12.1997 whereby Notice of Motion No. 2173 of 1990 in L.C. Suit No.2938 of 1990 came to be dismissed.

2. While admitting this appeal, this Court was pleased to grant interim relief in terms of prayer clause (b) vide order dated 16.3.1998 and since then same has been operating in favour of the appellant. Both the parties inform that the suit is ripe for hearing. In these circumstances, I think, justice would be done by

directing the trial Court to dispose of the suit as expeditiously as possible at any rate, within a period of one year from the date of receipt of copy of this order and allow interim relief in terms of prayer clause (b) to operate during the pendency of the suit.

3. Appeal stands disposed of in terms of the above order with no order as to costs.

4. Parties to act on copy of this order duly authenticated by the Court Associate/P.A.